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VERIGY US, INC.

9
10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN JOSE DIVISION

13 VERIGY US, INC, a Delaware Corporation

14 Plaintiff,

15 vs.

16 ROMI OMAR MAYDER, an individual;
WESLEY MAYDER, an individual; SILICON
17 TEST SYSTEMS, INC., a California Corporation;
and SILICON TEST SOLUTIONS, LLC, a
18 California Limited Liability Corporation,
inclusive,

19 Defendants.
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21 AND RELATED CROSS-ACTIONS
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Case No. C07 04330 RMW (HRL)

**VERIGY'S ADMINISTRATIVE MOTION
FOR LEAVE TO FILE DOCUMENTS
UNDER SEAL**

Judge: Hon. Ronald M. Whyte
Ctrm.: 6, 4th Fl.

Complaint Filed: August 22, 2007
Trial Date: None Set

Pursuant to Civil Local Rules 7-11(a) and 79-5(b), plaintiff Verigy U.S., Inc. (“Plaintiff” or “Verigy”) requests that the following materials be filed under seal, because they contain confidential information that is protected by the Stipulated Protective Order entered by the Court on August 29, 2007. The documents submitted under seal include:

1. Portions of Verigy Inc.’s Motion for Summary Adjudication of its First Claim for Relief for Breach of Contract and Twelfth Claim for Relief for Declaratory Relief; Memorandum of Points and Authorities (the “MSA”); and

2. Exhibits B, C, D, E, F, G, H, K, L, M, N, O, P, Q, R, and S to the Declaration of Michael W. Stebbins in support of Verigy Inc.’s Motion for Summary Adjudication of its First Claim for Relief for Breach of Contract and Twelfth Claim for Relief for Declaratory Relief.

These materials (hereafter “the Materials”) each disclose information that has been designated as “Highly Confidential—Attorneys’ Eyes Only” (portions of the MSA and Exhibits B, C, D, E, F, G, H, K, N, O, Q, R, and S to the Declaration of Michael W. Stebbins) or (portions of the MSA and Exhibits L, M, and P to the Declaration of Michael W. Stebbins) by the parties under the protective order, without objection to those designations (although Verigy reserves its rights to challenge such designations pursuant to the Stipulated Protective Order). Although the information in the Materials has been designated as protected from disclosure under the Protective Order, Verigy relies on this information in support of its MSA. The parties’ confidentiality interest therefore overcomes the right of public access to the record, as a substantial probability exists that the parties’ overriding confidentiality interest will be prejudiced if the record is not sealed. Further, the proposed sealing is narrowly tailored and no less restrictive means exist to achieve this overriding interest.

Pursuant to Local Civil Rule 79-5(b)-(c), Verigy therefore lodges the Materials with this Court, and respectfully requests leave to file the aforementioned documents under seal.

Dated: September 12, 2008

BERGESON, LLP

By: /s/
Colin G. McCarthy

Attorneys for Plaintiff
VERIGY US, INC.